

E-filing

FILED

08 JUN -2 PM 1:44

RICHARD W. WILKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Plaintiff,

vs.

Defendant.

CASE NO. \_\_\_\_\_

**JSW (PR)**  
PRISONER'S  
APPLICATION TO PROCEED  
IN FORMA PAUPERIS

I, Ramiro Garcia declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes \_\_\_ No ✓

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: \_\_\_\_\_ Net: \_\_\_\_\_

Employer: I have no money

1 If the answer is "no," state the date of last employment and the amount of the gross and net  
 2 salary and wages per month which you received. (If you are imprisoned, specify the last  
 3 place of employment prior to imprisonment.)

4 \_\_\_\_\_  
 5 \_\_\_\_\_  
 6 \_\_\_\_\_

7 2. Have you received, within the past twelve (12) months, any money from any of the  
 8 following sources:

- 9 a. Business, Profession or Yes \_\_\_\_ No   /    
 10 self employment  
 11 b. Income from stocks, bonds, Yes \_\_\_\_ No   /    
 12 or royalties?  
 13 c. Rent payments? Yes \_\_\_\_ No   /    
 14 d. Pensions, annuities, or Yes \_\_\_\_ No   /    
 15 life insurance payments?  
 16 e. Federal or State welfare payments, Yes \_\_\_\_ No   /    
 17 Social Security or other govern-  
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount  
 20 received from each.

21 \_\_\_\_\_  
 22 \_\_\_\_\_

23 3. Are you married? Yes \_\_\_\_ No   /  

24 Spouse's Full Name: \_\_\_\_\_

25 Spouse's Place of Employment: \_\_\_\_\_

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ \_\_\_\_\_ Net \$ \_\_\_\_\_

28 4. a. List amount you contribute to your spouse's support: \$ \_\_\_\_\_

1 b. List the persons other than your spouse who are dependent upon you for  
 2 support and indicate how much you contribute toward their support. (NOTE:  
 3 For minor children, list only their initials and ages. DO NOT INCLUDE  
 4 THEIR NAMES.).  
 5 \_\_\_\_\_  
 6 \_\_\_\_\_

7 5. Do you own or are you buying a home? Yes \_\_\_ No ☒  
 8 Estimated Market Value: \$ \_\_\_\_\_ Amount of Mortgage: \$ \_\_\_\_\_

9 6. Do you own an automobile? Yes \_\_\_ No ☒  
 10 Make \_\_\_\_\_ Year ☒ Model \_\_\_\_\_  
 11 Is it financed? Yes \_\_\_ No ☒ If so, Total due: \$ \_\_\_\_\_  
 12 Monthly Payment: \$ \_\_\_\_\_

13 7. Do you have a bank account? Yes \_\_\_ No ☒ (Do not include account numbers.)  
 14 Name(s) and address(es) of bank: \_\_\_\_\_  
 15 \_\_\_\_\_

16 Present balance(s): \$ \_\_\_\_\_

17 Do you own any cash? Yes \_\_\_ No ☒ Amount: \$ \_\_\_\_\_

18 Do you have any other assets? (If "yes," provide a description of each asset and its estimated  
 19 market value.) Yes \_\_\_ No ☒  
 20 \_\_\_\_\_

21 8. What are your monthly expenses?

22 Rent: \$ \_\_\_\_\_ Utilities: \_\_\_\_\_

23 Food: \$ \_\_\_\_\_ Clothing: \_\_\_\_\_

24 Charge Accounts:

25 <u>Name of Account</u>	<u>Monthly Payment</u>	<u>Total Owed on This Acct.</u>
26 _____	\$ _____	\$ _____
27 _____	\$ _____	\$ _____
28 _____	\$ _____	\$ _____

1 9. Do you have any other debts? (List current obligations, indicating amounts and to  
2 whom they are payable. Do not include account numbers.)  
3 \_\_\_\_\_  
4 \_\_\_\_\_

5 10. Does the complaint which you are seeking to file raise claims that have been presented  
6 in other lawsuits? Yes \_\_\_\_ No     

7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in  
8 which they were filed.  
9 \_\_\_\_\_  
10 \_\_\_\_\_

11 I consent to prison officials withdrawing from my trust account and paying to the court  
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and  
14 understand that a false statement herein may result in the dismissal of my claims.

15  
16 5-28-08

17 DATE

Ramiro Garza

SIGNATURE OF APPLICANT

Case Number: F02670731-4

**CERTIFICATE OF FUNDS**  
**IN**  
**PRISONER'S ACCOUNT**

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of \_\_\_\_\_ for the last six months  
[prisoner name]  
\_\_\_\_\_ where (s)he is confined.

[name of institution]  
I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ \_\_\_\_\_ and the average balance in the prisoner's account each month for the most recent 6-month period was \$ \_\_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
[Authorized officer of the institution]

E-filing

RECEIVED

PETITION FOR WRIT OF HABEAS CORPUS BY A PERSON IN CUSTODY

Name Garza Ramiro RMG  
(Last) (First) (Initial)

Prison Number F04325

Institutional Address RICHARD J. DONOVAN CORRECTIONAL FACILITY  
480 ALTA ROAD SAN DIEGO CA  
92179

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MAY 08 2008

FILED  
DOCKETED  
DATE **JSW**

CV 08 2571 (PR)

Ramiro Garza  
Full Name of Petitioner

Case No. F02670731-9  
(To be supplied by the Clerk,  
U.S. District Court)

vs.

PETITION FOR WRIT OF HABEAS CORPUS

Name of Respondent  
Warden or Jailor)

Read Comments Carefully Before Filling In

on and Where to File

You should file in the Northern District if you were convicted and sentenced in one of these counties: Alameda, Contra Costa, Del Norte, boldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, ta Cruz, San Francisco, San Mateo and Sonoma.

If you file in the Northern District because you are now in a prison in this District but you were not convicted and sentenced in one of the re-named fifteen counties, your petition will likely be transferred to the United States District Court in which is located the State court in which convicted and sentenced you. The Federal District Courts in California prefer that a petition should be considered in the district of conviction and sentencing. The records can be more easily consulted and witnesses are available if a hearing is necessary.

If you were convicted and sentenced and are not now in a prison in the Northern District, do not file in this District. If you do, your petition will be denied for lack of jurisdiction of the subject matter and you will have to refile in the district of sentencing.